(4)

Attested 28/3/06 ARCO

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

Attested

W.P.NO. 766 / 2006 Single Bench

Petitioner

S24/26
P.R. No.
Presented by Shri Deepak Thir
dated 2330/1/26
As per Amendment court order dated 21.03.06
Amended by me
Deepak Jain 25/03/06

Chandra Shekar (Shekhar) Dhruv S/o Late Shri Amaru Lal (Ram) Dhruv, Aged about 26 years, R/o Village Shemradih, P.O Shemradih, P.S. Suhela, Tahsil – Baloda Bazar, Dist : Raipur-(C.G.)

Versus

Respondents :

1. State of Chhattisgarh Through the Secretary Panchayat Avam Gramin Vikas Department, D.K.S Bhawan Raipur, Dist : Raipur-(C.G.)

2. The Chief Executive Officer, Janpad Panchayat Bhatapara, Dist : Raipur-(C.G.)

3. The Commissioner, Development Commissioner Office, Chhatisgarh Raipur, Dist : Raipur-(C.G.)

4. The Additional Deputy Development Commissioner, Janpad Panchayat Bhatapara, Dist : Raipur-(C.G.)

5. The Chief Executive Officer, Janpad Panchayat Dharsiva, Raipur, Dist : Raipur-(C.G.)

6. The Chief Executive Officer District Panchayat (Development), Raipur, Dist : Raipur-(C.G.).

7. The Collector Raipur, Dist : Raipur-(C.G.)

8. State of Madhya Pradesh Through the Secretary Panchayat & Rural Development Department Vallabh Bhawan, Bhopal, Dist : Bhopal-(M.P.)

RECEIVED-COPY
30.1.06
R/C CLE K.D.A. GOVT'S UR
Sd/-
30-1-06
for THAKUR VIJAY SINGH
Asst. Solicitor General of India
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)

उच्च न्यायालय
बिलासपुर
30/1/06

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 966/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

21-3-2006

Shri Deepak Jain, counsel for the petitioner.

Shri Satish Gupta, Dy. Govt. Advocate for the State of C.G.

Heard I.A.No.2432/2006 for amendment.

Not opposed.

For the reasons stated in the application (I.A.No.2432/2006), the same is allowed. Let necessary amendment be incorporated.

Accordingly, I.A.No.2432/2006 stands disposed of.

Heard.

By this petition under Article 226/227 of the Constitution of India, the petitioner submits that his father died on 19-4-2000 while he was working in Janpad Panchayat, Bhatapara. The petitioner applied for grant of appointment on compassionate ground before the authorities on 10-5-2000 (Annexure-P/2). Vide order dated 8-5-2002 (Annexure-P/3) permission was granted to appoint the petitioner as Peon, but the appointment order was not issued. Vide communication dated 6-8-2006 (Annexure-P/6) it was asked by the authorities whether the petitioner has been appointed or not. It is submitted that the matter has been pending since long without any justifiable reason.

The very object of compassionate appointment is to enable the family to tide over the sudden crisis. The Apex Court has dealt with the matter in the case of ***State of Manipur vs. Md. Rajaodin*** reported in ***2003 (7) SCC 511*** has held as under :

> *"…. The purpose of providing appointment on compassionate ground is to mitigate the hardship due to death of the breadwinner in the family. Such appointments should, therefore, be provided immediately to redeem the family in distress."*

[पीछे देखिये

XI-HC-22

(37)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 966/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Having considered the facts and circumstances of the case, material on record and in view of the fact that the permission has already been granted to appoint the petitioner on compassionate ground on the post of Peon and also in view of the law laid down by the Apex Court in the case of ***State of Manipur*** (supra), the respondents are directed to issue necessary appointment orders in accordance with law in favour of the petitioner within a period of one month from the date of receipt/ production of copy of this order and compliance report be submitted to this Court. In the result the petition is allowed with costs. Counsel fee Rs.1,000/-, if certified. Certified copy as per rules after amendment. Copy to the State counsel Sd/- Fakhruddin Judge	

Gowri

31.8.06

31/7/12

[पीछे देखिये